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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,930	10/05/2003	Nick P. Durso	07-03-0016	2917

7590 04/03/2006

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EXAMINER

LIANG, REGINA

ART UNIT	PAPER NUMBER
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2629

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/679,930

Applicant(s)

DURSO, NICK P.

Examiner

Regina Liang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1-8-04, 1-16-04, 10-5-03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to preliminary amendment filed 11/13/04. Claims 1-10, 12 are currently pending in this application. Claim 11 is cancelled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10, 12 are rejected under 35 U.S.C. 102(b) as being anticipated by “Troll Touch, Advertisement for “Laptop Touchscreen Enclosure – the Wedge” on or about June 1996, 1 page” (cited by applicant on 1/28/04, hereinafter Troll Touch).

As to claim 1, Troll Touch discloses a structure (laptop touchscreen enclosure) suitable for converting a non-touch screen display into a touch screen display for a computing device comprising: a touch screen; a casing; the casing having an opening for the touch screen; at least one casing surface (see the figure); a controller for the touch screen (see the Product Specifications, “Optional 12-bit controller”); a computing device software driver for the touch screen (inherent having a software driver such as Windows, Mac O/S since computing device is a PC or Macintosh platform laptop); a connection from the controller of the touch screen to the computing device (“USB for PC platform” or “USB for Mac”), whereby the casing is positioned over and substantially around the display for the computing device (see the figure) such that the

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touch screen in the casing opening is oriented directly over the display to convert a non-touch screen display to a touch screen display.

As to claim 2, Troll Touch teaches the connection to the computing device is a USB.

As to claim 3, Troll Touch teaches the casing comprising an outer casing surface (surface facing the user) and an inner casing surface (surface facing the display), the outer casing surface and the inner casing surface define a space for the display to fit (see the figure).

As to claim 4, Troll Touch teaches “the product is ... extremely durable ABS plastic construction”.

As to claim 5, Troll Touch teaches “the product is available in two models, the standard base as shown in the photo or the extender base” which appears to be a pivotable stand as claimed, see figure.

As to claim 6, note the discussion of claim 1 above. In addition, Troll Touch teaches “the product is available in two models, the standard base as shown in the photo or the extender base” which appears to be a pivotable stand for supporting the casing and the display as claimed, see figure.

As to claim 7, Troll Touch teaches the connection to the computing device is a USB.

As to claim 8, Troll Touch teaches the casing comprising an outer casing surface (surface facing the user) and an inner casing surface (surface facing the display), the outer casing surface and the inner casing surface define a space for the display to fit (see the figure).

As to claim 9, Troll Touch teaches “the product is ... extremely durable ABS plastic construction”.

As to claim 10, note the discussion of claims 1 and 3 above.

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As to claim 12, Troll Touch teaches “the product is available in two models, the standard base as shown in the photo or the extender base” which appears to be a pivotable stand having a first closed position and a second opened position as claimed, see figure.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kushita (US 6188436) teaches a portable terminal apparatus having handwritten data input means.

Beatty et al (US 5233502) teaches a removable and reversible display device for portable computer.

Kurtzig (EP 0 181 196) teaches a removable touchscreen.

Wakabayashi (JP 2000311059) teaches an input tablet.

Nippondenso (JP 2002023952) teaches a LCD has slit provided to design panel for insertion and removal of touch panel.

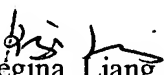
Saito et al (JP 06110609) teaches a touch panel type controller.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Regina Liang whose telephone number is (571) 272-7693. The examiner can normally be reached on Monday-Friday from 8AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Regina Liang
Primary Examiner
Art Unit 2674

3/31/06